

Tri-State Paper, Inc.,  
Plaintiff  
Pizza Village Tomatoe Pie LLC,  
Defendant

Adv. Proc. No. 23-00085-pmm

## CERTIFICATE OF NOTICE

District/off: 0313-2  
Date Rcvd: Jan 31, 2024

User: admin  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 5

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 02, 2024:

| Recip ID | Recipient Name and Address  |
|----------|---|
| dft      | Pizza Village Tomatoe Pie LLC, 5860 Lower York Road, Suite 3H-L, New Hope, PA 18938 |
| pla      | Tri-State Paper, Inc., 4500 N 3rd St, Philadelphia, PA 19140-1502                   |

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address                 | Date/Time            | Recipient Name and Address  |
|----------|--|----------------------|---|
| sng      | Email/Text: megan.harper@phila.gov         | Feb 01 2024 00:34:00 | City of Philadelphia, City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor, Philadelphia, PA 19102-1595            |
| sng      | Email/Text: RVSVCBICNOTICE1@state.pa.us    | Feb 01 2024 00:34:00 | Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946   |
| ust      | + Email/Text: ustregion03.ph.ecf@usdoj.gov | Feb 01 2024 00:34:00 | United States Trustee, Office of United States Trustee, Robert N.C. Nix Federal Building, 900 Market Street, Suite 320, Philadelphia, PA 19107-4202 |

TOTAL: 3

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 02, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 31, 2024 at the address(es) listed

District/off: 0313-2

User: admin

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**below:**

| <b>Name</b>      | <b>Email Address</b>  |
|------------------|---|
| MICHAEL A. CIBIK | on behalf of Plaintiff Tri-State Paper Inc. mail@cibiklaw.com,<br>cibiklawpc@jubileebk.net;cibiklaw@recap.email;ecf@kramerica.enterprises;ecf@michaelscottpaper.co;ecf@nalabean.gg                    |
| MICHAEL I. ASSAD | on behalf of Plaintiff Tri-State Paper Inc. mail@cibiklaw.com,<br>cibiklawpc@jubileebk.net;cibiklaw@recap.email;ecf@casedriver.com;ecf@kramerica.enterprises;ecf@michaelscottpaper.co;ecf@nalabean.gg |

TOTAL: 2

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

|                               |   |                         |
|-------------------------------|---|-------------------------|
| IN RE: Tri-State Paper, Inc.  | : | Chapter 11              |
|                               | : |                         |
| Debtor.                       | : | Bky. No. 23-13237 (PMM) |
|                               | : |                         |
| Tri-State Paper, Inc.         | : |                         |
|                               | : |                         |
| Plaintiff.                    | : | Adv. No. 23-0085 (PMM)  |
|                               | : |                         |
| v.                            | : |                         |
|                               | : |                         |
| Pizza Village Tomato Pie LLC, | : |                         |
| Defendant.                    | : |                         |
|                               | : |                         |
|                               | : |                         |

**ORDER REQUIRING SERVICE OF COMPLAINT**

AND NOW, this Adversary Proceeding having been filed on November 11, 20223;

AND no answer or responsive pleading having been filed;

AND, on Motion of the Plaintiff, the default entered having been set aside, doc. #15;

AND the Plaintiff having represented in its Motion that the summons and complaint sent to Defendant were returned as “undeliverable,” doc. #11;

BUT the Plaintiff having failed to reissue service to the Defendant;

AND, pursuant to Federal Rule of Civil Procedure 4(m), made applicable by Bankruptcy Rule 7004:

If a defendant is not served **within 90 days** after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--**must dismiss the action** without prejudice against that defendant or order that service be made within a specified time. But **if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. . . .**

(emphasis added);

It is therefore hereby **ordered** that that the Plaintiff **must re-serve** the summons and

Complaint on or before **February 9, 2024** or this Adversary Proceeding may be dismissed for  
lack of prosecution.



**Date: 1/31/24**

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**PATRICIA M. MAYER**  
**U.S. BANKRUPTCY JUDGE**